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ABU HAMZA ARRESTED IN LONDON ON TERRORISM CHARGES
FILED IN THE UNITED STATES

U.S. Government to Seek Hamza's Extradition

Attorney General John Ashcroft, Assistant Attorney General Christopher A. Wray of the Criminal Division, U.S. Attorney David N. Kelley of the Southern District of New York and FBI Assistant Director Pasquale D'Amuro of the New York Field Office today announced the arrest in Great Britain of Mustafa Kamel Mustafa, a/k/a Abu Hamza, the former imam at the Finsbury Park mosque in London, on terrorism charges filed in the United States. The U.S. government is actively seeking Hamza's extradition from Great Britain to face those charges.

Hamza, 47, was arrested by the Metropolitan Police of New Scotland Yard in London this morning. British authorities arrested Hamza at the request of the United States.

Following Hamza's arrest in London, an 11-count indictment returned by a federal grand jury on April 19, 2004, in the Southern District of New York was unsealed. The indictment charges Hamza with hostage taking and conspiracy to take

hostages, in connection with an attack in Yemen in December 1998 that resulted in the death of four hostages. The indictment also charges Hamza with providing material support to terrorists, and specifically to al Qaeda, for allegedly attempting to set up a terrorist training camp in Bly, Oregon, from October 1999 to early 2000. The indictment also includes charges of providing material support to terrorists, specifically to al Qaeda and the Taliban, for facilitating violent jihad in Afghanistan.

The maximum sentence for the hostage taking charges is the death penalty or life imprisonment. Hamza also faces a maximum sentence of up to 100 years in prison on the additional charges contained in the indictment.

"As today's arrest makes clear, the Department of Justice is bringing the full weight of the criminal law against those who support the activities of terrorists," said Attorney General Ashcroft. "The United States will use every available diplomatic, legal and administrative tool to pursue and prosecute those who facilitate terrorist activity around the world, and we will not stop until the war on terrorism is won."

"The indictment alleges that Abu Hamza was a terrorist facilitator with a global reach - from aiding hostage takers in Yemen, to attempting to set up a jihad training camp in Oregon, to sending people for terrorist training in Afghanistan," said Assistant Attorney General Wray. "Those who support our terrorist enemies anywhere in the world must know that we will not rest until the threat they pose is eradicated."

"Today, we take another step forward in the war on terrorism. It has been said many times that the United States must use every tool and technique in its arsenal to fight this war and, fortunately, with this indictment, we were able to rely on traditional law enforcement investigations and criminal charges to bring Abu Hamza to justice," said U.S. Attorney Kelley. "We will continue to work tirelessly to make sure that this criminal is held accountable for his terrorist actions and conspiracies within the United States and against United States citizens abroad. We want to thank our colleagues at the Metropolitan Police at New Scotland Yard and the Crown Prosecution Service in London for all of their assistance during the course of this important matter."

The indictment alleges that from about Dec. 23, 1998, until Dec. 29, 1998, Hamza and others conspired to take hostages in an attack in Yemen. According to the indictment, Hamza provided the leader of the Abyan faction of the Islamic Army of Aden and a group of co-conspirators in a hostage-taking plot with a satellite phone. The indictment alleges that Hamza received calls from that phone to his home on December 27, one day before the terrorists stormed a caravan of sport utility vehicles carrying 16 tourists, including two Americans, taking the

tourists hostage by use of force. The indictment alleges that Hamza spoke to the terrorists after that attack and agreed to act as an intermediary for them. On Dec. 29, 1998, Hamza allegedly ordered 500 British pounds worth of additional airtime for the satellite phone being used by the terrorists. On that same day, the Yemeni military attempted to rescue the hostages. The terrorists used the hostages as human shields and attempted to fight off the military, and although the military ultimately overpowered the terrorists, four hostages were killed and several others were seriously wounded.

The indictment further alleges that Hamza conspired with others and provided material support to terrorists through his plot to create a violent jihad training camp in Bly, Oregon, in late 1999 through early 2000. Specifically, the indictment alleges that on or about Oct. 25, 1999, a co-conspirator communicated to Hamza that he and other co-conspirators were stockpiling weapons and ammunition in the United States. The indictment further alleges that on or about that same date, Hamza received a proposal by fax regarding the creation of the Bly jihad training camp. Hamza is charged in the indictment with conspiracy and substantive counts of providing and concealing material support and resources to terrorists, and providing material support and resources to a designated foreign terrorist

organization, al Qaeda, in alleged violation of 18 U.S.C. Sections 2339 A and B.

The indictment also charges Hamza with material support violations for facilitating violent jihad and violent jihad training in Afghanistan. The indictment alleges that one of Hamza's co-conspirators traveled from London, England, to New York, to raise money for the Finsbury Park mosque's hijrah fund from worshipers at local mosques. That money was allegedly added to the hijrah fund when the co-conspirator returned to London. According to the indictment, Hamza asked that co-conspirator, a U.S. citizen, to escort another co-conspirator from London to a jihad training camp in Afghanistan operated by a "front-line commander." The indictment further alleges that Hamza introduced the U.S. citizen to another co-conspirator for the purposes of arranging safehouses and lodging in Pakistan and safe passage and transport into Afghanistan. The two men allegedly entered into Afghanistan separately in or about November 2000.

Finally, the indictment alleges that Hamza conspired with a U.S. citizen to supply funds, goods and services to the Taliban, in violation of executive orders that prohibited such support. Specifically, the indictment alleges that from about the Spring of 2000 until Sept. 6, 2001, Hamza posted messages on

the Supporters of Shariah website, urging his followers to donate money, goods and services to Taliban-sponsored programs in the area of Afghanistan controlled at the time by the Taliban. Hamza also allegedly planned to establish a computer lab to service Taliban officials in Kandahar, which was an area then controlled by the Taliban.

The investigation that led to today's arrest was conducted by agents of the Federal Bureau of Investigation and the Joint Terrorist Task Force in New York City, including the New York City Police Department, as well as the Joint Terrorist Task Force in Seattle. The investigation also received substantial assistance from the Metropolitan Police at New Scotland Yard and the Crown Prosecution Service in Great Britain. The investigation and prosecution were overseen by the U.S. Attorney's Office for the Southern District of New York and the Criminal Division at the U.S. Department of Justice in Washington, D.C.

The case is being prosecuted by Assistant U.S. Attorney Eric B. Bruce of the Southern District of New York and Trial Attorney George Z. Toscas of the Counterterrorism Section of the Criminal Division.

An indictment is merely an allegation. Defendants are presumed innocent until and unless proven guilty in a court of law.

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